

A³
1 177. The method claimed in claim 172, wherein said alert comprises a sound
2 alert.--

REMARKS

This is a response to an Office Action mailed October 7, 1998 wherein claims 1-50 and 56-81 were rejected and claims 51-55 were objected to. The second claim 9 has been cancelled, claims 51 and 53 have been amended, and claims 82-177 have been added.

DISCUSSION OF OBJECTION TO CLAIMS UNDER 37 CFR 1.75

In section 3 of the Office Action, the Examiner objected to the claims under 37 CFR 1.75(f) for failing to be numbered consecutively. In particular, the Examiner asserted that there are two claims 9's in the application. As kindly suggested by the Examiner, the second claim 9 has been cancelled and new claim 82, corresponding to the second claim 9, has been added.

In section 4 of the Office Action, the Examiner objected to the claim 53 under 37 CFR 1.75(c) as an improper dependent claim since it does not further limit a preceding claim. In particular, the Examiner asserted that claim 53 depends on claim 54. Claim 53 has been amended to depend from claim 37.

Applicant respectfully submits that the claims overcome the Examiner's objections under 37 CFR 1.75.

DISCUSSION OF ALLOWABLE SUBJECT MATTER AND NEWLY ADDED CLAIMS

In section 85 of the Office Action, the Examiner asserted that claims 51-55 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully notes that claim 55 has been rewritten in independent form. Claims 84-155, which depend from claim 55, have been added. As such, Applicant respectfully submits that claims 84-155 also include allowable subject matter and are in condition for allowance.

DISCUSSION OF REJECTION OF CLAIMS
1-3, 14-25, 29-36, 44, 49-50, 60-66 AND 78-81 UNDER 35 U.S.C. §103(a)

In section 6 of the Office Action, the Examiner rejected claims 1-3, 14-25, 29-36, 44, 49-50, 60-66 and 78-81 under 35 U.S.C. §103(a) as being unpatentable over McCoy et al., U.S. Patent No. 5,790,958, in view of Ammons, B., "RBDS for Your Station!", <http://www.crlsystems.com/crl/tech/rbds.htm>, Circuit Research Labs, Inc., pp. 1-13, Sep. 1995, and May, U.S. Patent No. 5,043,721.

Applicant respectfully notes that Ammons is not a proper reference under 35 U.S.C. §103(a). In particular, the date of the Ammons reference is September, 1995, which *not* more than one year before Applicant's claimed provisional filing dates, which date back as early as January 26, 1996. Applicant's claims are patentable over the remaining cited references, in particular McCoy and May. In particular, as asserted by the Examiner in sections 8 and 9 of the Office Action:

- "9. McCoy does not teach a system comprising:
- a. Means for transmitting data from an information source to a central broadcast server;
 - b. Means for preprocessing said data at said broadcast server;
 - c. Wherein said remote computing devices are notified of receipt of said preprocessed data whether said computing devices are on or off."

The Examiner's rejection is respectfully traversed in view of the Applicant's remarks above. In view of the foregoing discussion, it is submitted that the claims are patentable

over the remaining cited references. Reconsideration of the Examiner's rejection of the claims is earnestly solicited.

DISCUSSION OF REJECTION OF
REMAINING CLAIMS UNDER 35 U.S.C. §103(a)

In sections 19-84 of the Office Action, the Examiner rejected claims 4-13, 26-28, 37-43, 45-48, 51-59, and 67-77 as being unpatentable over various references. Applicant respectfully notes that the claims are patentable in view of the Applicant's remarks above. As such, Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

DISCUSSION OF NEWLY ADDED CLAIMS

Applicant respectfully notes that newly added claims 156-177 are patentable over the prior art, including U.S. Patent No. 5,809,415 to Rossman (cited by the Examiner with respect to claims 70-77 in section 49 of the Office Action).

Applicant respectfully notes that Rossman fails to teach or suggest "*broadcasting* said data including said Internet address location to a user in communication with one of said plurality of receivers, wherein said Internet address location *is not broadcast in response to a request for said Internet address location by said user,*" as claimed in claim 156 and the claims which depend therefrom. The fundamental differences between the present invention and Rossman include the following:

a) The present invention generates URLs at a *server* which are then broadcasts to plurality of receivers. In contrast, Rossman requires a *user* to generate URL's which then must be sent it to a server.

b) The present invention provides for the "*broadcasts*" of URLs to a plurality of receivers. Nowhere does Rossman teach or suggests broadcasting

URLs to a plurality of receivers. In contrast, Rossman requires a user to generate URL's which then are sent it to a server in a *one-to-one communication link*.

c) The present invention provides "*non-user generated*" broadcasts of Internet address locations. In contrast, all URLs in Rossman are user generated.

d) The present invention provides a user with a "*direct connection*" to the web site identified by the URL. Rossman requires that a user go through a server, which then retrieves the information from the web site and send it back to the user.

Thus, a *fundamental* difference between the present invention and Rossman is that the present invention provides a one-way Internet address location communication system where Internet address locations are *broadcasts from a server to a plurality of receivers*. At no time are the Internet address locations "broadcast" to a user in response to a specific request from the user. In contrast, Rossman provides a user-initiated two-way Internet address location communication system where Internet address locations are initiated and sent by a user to a server which then must access the information associated with the Internet address location and transmit it back to the user per the user's request. The direction that the Internet address flows in the present invention is thus from the server to user, whereas in Rossman, the Internet address flows from the user to server.

Additionally, Rossman fails to "broadcast" the Internet address location to a plurality of receivers. Rather, Internet address location requested by the user is sent in a one on one communication to the server. In particular, the present invention is a one-way communication system broadcasting data including Internet address locations to a plurality of receivers. The Internet address locations are generated at a central server, rather than at a user as in Rossman.

A user in communication with a receiver can directly access the Internet resource location.

At no time is the Internet resource location broadcast to a plurality of receivers. Rossman thus teaches away from "*broadcasting* said data including said Internet address location to a user in communication with one of said plurality of receivers, wherein said Internet address location *is not broadcast in response to a request for said Internet address location by said user.*"

An advantage of having an Internet address location ***originating*** at a central server and ***broadcasts*** to a user is that ***the user can pinpoint and automatically access specific information the user was "alerted" to.*** Moreover, nowhere does Rossman nor any of the other cited references teach or suggest that Rossman can be modified to provide an Internet resource location which essentially operates as an "alert" for a user to access further information if desired. Rather, in Rossman, a user must *formulate* an idea as to what kind of information is desired, *broadcast in response to a request for said Internet address location by said user.* Rossman thus ***teaches away*** from the present invention by requiring a user to *formulate* an idea, *identify* an Internet resource location and then *initiate* a transmission protocol.

In particular, the present invention provides on page 4, lines 21-31 of the present application:

"In accordance with the present invention, the notification centric portions of that information that lives in an electronic medium is wirelessly **broadcast** on a nationwide basis to wireless receiving devices which are attached to personal computers or other computing devices. **Upon receipt of the information at the personal computer, the user is notified** through different multimedia alerts that there is an incoming message. Wirelessly broadcasted URL's, associated with the data, are embedded in data packets and provide an automated wired or wireless connection back to the information source for obtaining detailed data." (Emphasis added.)

Additionally, the application on page 11, line 32 to page 12, line 11 provides:

"Wirelessly broadcasted Uniform Resource Locator's (URL's) 22, associated with the data, are embedded in multimedia data packets and provide an automated wired or wireless connection or link 22 back to the information source 12 for obtaining detailed data. A network path to an information source 12 is identified by the URL having a known syntax for defining a network. Data, such as advertisements and promotional broadcasts, can thus be embedded in a multimedia viewer as well as automatically activated on a scheduled or triggered event. Moreover, an advantage of the present invention is that data can be modified and updated instantaneously and wirelessly. Additional services can be activated wirelessly and existing services disabled through broadcast activation codes which can enable or disable addresses thus turning services on and off."

Furthermore, the present invention on page 57, line 35 to page 58, line 26 provides:

"Referring to FIG. 1, the URL broadcast and hot links 22 back to the information source 12 is shown. In accordance with the present invention, very short notification centric messages such as news headlines from information sources 12, such as Internet, on-line services and other information providers, are transmitted to the computer 14 by wireless transmission. A user, from a computer 14, can make a wired connection 24 back to the information source 12 to obtain more detailed information. In accordance with the present invention, attached to each of the notification centric messages is a universal resource locator (URL) code 22 as well as related Internet address information. This allows the user, by clicking on an icon that is embedded in the message, to make a wired or wireless connection 24, either through a modem, TC/IP or LAN-type connection, and automatically establish a link back to the information source 12. The user can thus go directly to the specific site that the information came from. In a typical example, the specific site can be ten pages deep. Thus, in accordance with an advantage of the present invention, information sources 12 such as the Internet and other on-line services, which are typically overwhelming particularly with respect to locating a story, are easily accessible. The present invention allows a user to pinpoint and locate the specific information the user was alerted to. The user can thus hit one button which establishes the

connection 24 and takes the user directly to the location where the information is located." (Emphasis added.)

In view of the above, Applicant respectfully notes that the new claims are patentable over the prior art, including the Rossman reference.

Should the Examiner believe that further amendment of the claims is required in order to place this application in condition for allowance, it is requested that a telephone interview be set up for the purpose of resolving as many remaining issues as possible.

No additional fees are believed to be due. If an extension of time is required for the filing of this paper or later filed papers, please consider this a **PETITION** for the required extension of time under 37 CFR 1.136(a). Please charge any required petition fees, and any other required additional fees during the prosecution of this application (except for the payment of the Issue Fee), and/or credit any overpayments, to Deposit Account No. 09-0946. A duplicate copy of this letter of transmittal is attached for that purpose.

Respectfully submitted,



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